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 WERNER ENTERPRISES, INC. d/b/a
 8 "C.L. WERNER, INC."

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 CENTRAL DIST. OF CALIF.
 RIVERSIDE

9 UNITED STATES DISTRICT COURT
 10 FOR THE CENTRAL DISTRICT OF CALIFORNIA, EASTERN DIVISION

11 ED CV 11 - 00294 VAP
 12 SIMONA MONTALVO, on behalf of herself
 13 and all others similarly situated,

14 Plaintiffs,

15 v.

16 WERNER ENTERPRISES, INC. d/b/a "C.L.
 WERNER, INC.," a Nebraska corporation; and
 17 DOES 1 to 100, inclusive,

18 Defendants.

CASE NO.

DECLARATION OF MS. MARY KAYE
 HOWE IN SUPPORT OF REMOVAL
 BY DEFENDANT WERNER
 ENTERPRISES, INC. D/B/A C.L.
 WERNER, INC., PURSUANT TO 28
 U.S.C. §§ 1331, 1332(D), 1446(A), AND
 1453(B)

Complaint Filed: January 18, 2011
 Trial: None Set

19 I, Ms Mary Kaye Howe, declare:

20 1. I am the Associate Vice President of Management Information Services ("MIS")
 21 for Defendant Werner Enterprises, Inc. (hereinafter "Werner Enterprises"). I have been
 22 employed by Werner Enterprises since September 5, 1989. I have served as the Associate Vice
 23 President of MIS for Werner Enterprises since February 1, 2008.

24 2. In my capacity as Associate Vice President of MIS, I have personal knowledge
 25 concerning the Werner Enterprises' data related to drivers hired and who attended employee
 26 orientation sessions conducted in Fontana, California, dating from January 19, 2007 through
 27

1 the present. I have personal knowledge of and am personally familiar with the company
 2 records, and the maintenance of the company records related to attendance at each orientation
 3 session and how frequently those sessions have been provided over the last four years.

4 3. In addition to my personal knowledge concerning the issues in the above-
 5 captioned case, I have reviewed the Complaint served on Werner Enterprises in the case
 6 entitled: *Simona Montalvo, et al. v. Werner Enterprises, et al.*, Superior Court for the State of
 7 California, County of San Bernardino, Case No. CIVDS 110712, filed January 18, 2011. I
 8 have also reviewed Werner Enterprises' records for data related to attendance at the employee
 9 orientation program sessions conducted in Fontana, California from January 19, 2007 through
 10 January 19, 2011.

11 4. Werner Enterprises' driver orientation attendance records for Fontana, California
 12 are, and have been, updated at or near the time of commencement of the individual employee
 13 orientation sessions, and they are kept in the ordinary course of business, with other records of
 14 their type, in the business files of the MIS Department at Werner Enterprises' home office in
 15 Omaha, Nebraska. Werner Enterprises' driver orientation records contain, data concerning the
 16 commencement dates and locations of employee orientation sessions and the employment
 17 status of individuals in attendance at the employee orientation program sessions.

18 5. Based on my personal knowledge of Werner Enterprises' data related to
 19 attendance at employee orientation sessions performed in Fontana, California, from January
 20 19, 2007 through January 19, 2011 -- more than 5,000 Relevant Employees of Werner
 21 Enterprises (defined in paragraph 4 of Plaintiffs' Complaint as "new hires who have their
 22 orientation in California") attended the employee orientation sessions at issue in the Complaint
 23 during the specified time frame in the Complaint.

24 I declare under penalty of perjury that the foregoing is true and correct. Executed this

25 10th day of February 2011 in the city of Omaha, Nebraska.

26 /s/

27 Ms. Mary Kay Howe